

Panaji, 14th June, 2019 (Jyaistha 24, 1941)

SERIES I No. 11

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

### EXTRAORDINARY

#### GOVERNMENT OF GOA

Department of Finance

Revenue &amp; Control Division

#### Notification

4/5/2005-Fin(R&amp;C)/2936

In exercise of the powers conferred by sub-section (4) of section 5 of the Goa Value Added Tax Act, 2005 (Goa Act 9 of 2005) (hereinafter referred to as the "said Act") and all other powers enabling it in this behalf, the Government of Goa hereby amends Schedule 'C' appended to the said Act, as follows, namely:—

In Schedule 'C' appended to the said Act, for the existing entries against serial numbers (3) and (4), the following entries shall be respectively substituted, namely:—

"(3) Motor spirit which is commonly known as petrol including ethanol blended petrol,—

(a) sold by public sector as well as private sector oil marketing companies to their authorized retail outlets within the State ..... 20%.

(b) sold in the circumstances other than mentioned in clause (a) above ..... 20%.

(4) High Speed Diesel Oil (HSD)..... 18%."

This Notification shall come into force on the 15th day of June, 2019.

By order and in the name of the Governor of Goa.

*Sushama D. Kamat*, Under Secretary (R&C).

Porvorim, 14th June, 2019.



Department of Town & Country Planning

Office of the Chief Town Planner (Admin.)

#### Notification

21/1/TCP/2019/Steering Committee/1006

Whereas, the draft regulations, namely, the Goa Land Development and Building Construction (Amendment) Regulations, 2018 (hereinafter referred to as the "said Amendment Regulations"), which the Government of Goa proposed to make in exercise of the powers conferred by sub-sections (1) and (2) of section 4 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) (hereinafter referred to as the "said Act") so as to further amend the Goa Land Development and Building Construction Regulations, 2010, were pre-published as required by section 5 of the said Act vide the Government Notification No. 21/1/TCP(A)/2018/Steering Committee/2398 dated 26-12-2018, in the Official Gazette, Series I

No. 39, dated 27-12-2018, inviting objections and suggestions from all persons likely to be affected thereby within a period of 30 days from the date of publication of the said Notification in the Official Gazette;

And whereas, the said Official Gazette was made available to the public on 27-12-2018;

And whereas, the Government received objections and suggestions from the public on the said Amendment Regulations and the Sub-Committee appointed under sub-section (2) of section 6 of the said Act, vide Notification No. 21/1/TCP/2014/SC/Sub-Comm/3630 dated 08-08-2014, considered the said objections and suggestions and submitted its report to the Steering Committee constituted under sub-section (1) of section 6 of the said Act vide the Government Notification No. 21/1/TCP/2018/SC/481 dated 22-02-2018, published in the Official Gazette, Series II No. 48, dated 01-03-2018;

And whereas, the Steering Committee considered the said Report of the Sub-Committee and submitted its report together with the recommendations to the Government;

And whereas, the Government has considered the report and recommendations of the Steering Committee and directed the Chief Town Planner (Administration) to notify the said Amendment Regulations in the Official Gazette.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 4 of the Goa (Regulation of Land Development and Building Construction) Act, 2008 (Goa Act 6 of 2008) and all other powers enabling it in this behalf, the Government of Goa hereby makes the following regulations so as to further amend the Goa Land Development and Building Construction Regulations, 2010, namely:—

1. *Short title and commencement.*— (1) These regulations may be called the Goa Land Development and Building Construction (Amendment) Regulations, 2019.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Amendment of regulation 2.*— In regulation 2 of the Goa Land Development and Building Construction Regulations, 2010 (hereinafter referred to as the “principal Regulations”), for clause (90), the following clause shall be substituted, namely:—

“(90) “Notary Architect or Notary Engineer” means an Architect or an Engineer empanelled, registered and empowered by the designated Chief Town Planner to issue third party certification for low risk buildings for facilitating issuance of Technical Clearance/Development Permission/Completion Order by the Town and Country Planning Department/Planning and Development Authority for promoting ease of doing business.

*Note:*— For the purpose of this clause, low risk building means and includes all buildings in plots formed by way of finally approved sub-division layout and partitioned plot formed by way of finally approved sub-division layout plan approved earlier by competent authorities, for residential buildings in plot area upto 500 sq. mts. having maximum built up area of 500 sq. mts. and height of the building limited to G+2 storeys including stilt floor. All other buildings shall be considered as high risk buildings.

3. *Amendment of regulation 3.1.*— In regulation 3.1 of the principal Regulations, after the words “Competent Authority”, the expression “However, no permission under these Regulations shall be required for setting up solar farm including construction, operation and office set up thereof subject to 2% of the total area of farm and maximum of 200 sq.mts. per MW as envisaged in the Goa State Solar Policy, 2017 subject to obtaining NOC from Agriculture Department and approval of the Government on a case to case basis” shall be inserted.

4. *Amendment of regulation 3.2D.*— In regulation 3.2D of the principal Regulations, in clause (c) and in all other regulations except regulation 20, for the expression “Architect/

/Engineer/Structural Engineer/Town Planner/  
/Landscape Architect/Urban Designer”  
wherever it occurs, the expression “Architect/  
/Engineer/Structural Engineer/Town Planner/  
/Landscape Architect/Urban Designer/  
/Engineer-Diploma/Supervisor (Civil)” shall be  
substituted.

5. *Amendment of regulation 3.5A.*— In  
regulation 3.5A of the principal Regulations,  
in clause (b), after item (vi), the following items  
shall be inserted, namely:—

“(vii) *Engineer-Diploma* – Questionnaire,  
all buildings, structural design/drawings as  
per competence.

(viii) *Supervisor (Civil)* – Questionnaire, all  
buildings, structural design/drawings as  
per competence.”.

6. *Insertion of new regulation 3.5C.*— After  
regulation 3.5B of the principal Regulations,  
the following regulation shall be inserted,  
namely:—

“3.5C. The Government may by an order  
published in the Official Gazette make  
securing of any or all the permissions  
namely, Development permission, Technical  
clearance, Construction license, Completion  
order and occupancy certificate and also  
issuance of the same compulsorily in online  
or offline mode, as may be, as specified in  
such order.”.

7. *Amendment of regulation, 4.2.*— In  
regulation 4.2 of the principal Regulations,  
in clause (g), for the expression “The  
requirement of access to the rear is not  
applicable to three storey residential building  
in a plot not exceeding 500m<sup>2</sup> and 20 mts.  
depth”, the expression “For buildings having  
side and rear setbacks as per Regulation 4.4.2,  
Table IV, the means of access to the rear is not  
required to be maintained. However, for high  
rise buildings, means of access to the rear of  
minimum 6.0 mtrs. or applicable setbacks,  
whichever is higher, is required to be  
maintained at least on one side. Further,

access to the rear shall not be applicable to  
the plots covered under the regulation 4.7.”

8. *Insertion of new regulation 5A.*— After  
regulation 5 of the principal Regulations, the  
following regulation shall be inserted,  
namely:—

“5A. *Regulations for Shopping Mall cum  
multiplex.*— (1) *Definition.*— “Shopping mall  
cum multiplex” shall mean an integrated  
entertainment and shopping Centre/  
/Complex consisting of small retail outlet,  
food courts, pubs, bowling alleys,  
restaurants, fast food outlets, health spas/  
centers, convention centers, hotel, IT and  
ITES, recreational activities, etc., with  
atleast 2 cinema hall screens either within  
the complex or in a separate building within  
the compound of the complex.

(2) *Site requirement for shopping mall  
cum multiplex:*— (i) The minimum size of plot  
for a new shopping mall cum multiplex  
complex shall be 10,000 sq. mts.;

(ii) The minimum abutting road width for  
a shopping mall cum multiplex complex  
shall be 15 mts. existing.

(3) *Location criteria:*— (i) The location of a  
shopping mall cum multiplex complex shall  
be in a notified commercial area as per the  
statutory plans in force.

The project shall be further subject to the  
requirements of,—

(a) a traffic impact study and a traffic  
management plan, for such complex  
undertaken through a qualified consultant in  
traffic and transportation.

(b) NOC from the Director of Fire and  
Emergency Services for considering the  
building permission by the Authority granting  
the permission.

(4) *General:*—

Plot area – 10,000m<sup>2</sup>

Coverage – 50%

FAR – As per the permissible FAR in  
respective zone.

*Height* – Maximum height permissible shall be as per the permissible limits within the respective zones. Maximum height of shopping mall cum multiplex having assembly occupancy shall not exceed 30 mtrs. or the height permissible in the respective zones, whichever is less. However, relaxation in height could be considered with the approval of the Town and Country Planning Board for creating iconic or landmark tower which would have tourist/public attractions and would enhance the image of the city by following setback requirements upto a maximum height of 50.00 mtrs. only in C1 Special Zone (C1 Special), Commercial Special Zone (CS) and Special Commercial Zone (SPC). This relaxation in height is subject to condition that uses in the tower shall be of non-assembly occupancy. If such tower is attached to the main shopping complex cum multiplex, it should have separate entry and exit from the ground level and overall height of the building including the tower shall not exceed 50 mtrs. If the tower like building is proposed as detached building within the same compound of the complex, maximum height of 50 mtrs. could be considered, independently. The relaxation in height will be further subject to the condition that the tower like building shall not cover more than 33% of the overall plinth area of shopping mall cum multiplex.

*Note:* The additional height upto 50 mtrs can be permitted subject to availability of fire equipments capable of handling high rise building of such magnitudes by the Director of Fire and Emergency Services. However, exemptions could be considered in case the prospective developer donates the equipments as required by the Government and make available in house fire fighting facilities within the complex.

(5) *Parking.*— One equivalent car parking space shall be provided for every 35 sq. mtrs of built up area of the shopping mall cum multiplex."

9. *Amendment of regulation 6A.1.*— In regulation 6A.1 of the principal Regulations,—

(i) in Table – VII,—

(a) against the serial No. I, the following entry shall be added at the end, namely:—

"Residential      Special Residential      SPR";

(b) against the serial No. II, the following entries shall be added at the end, namely:—

"Commercial      Special Commercial      SPC

Commercial      Central Commercial      C1  
Special      Special";

(ii) for note (1), the following note shall be substituted, namely:—

"(1) In case of SPC, C1 Special, C1, C2, C3 and C4, residential use shall be permitted on upper floors and ground floor above stilts."

10. *Amendment of regulation 6A.2.1.*— In regulation 6A.2.1 of the principal Regulations,—

(i) in clause (a), for the expression "S1, S2, S3 & S4", the expression "SPR, S1, S2, S3 & S4" shall be substituted;

(ii) in clause (b), for the expression "C1, C2, C3 & C4" the expression "SPC, C1 Special, C1, C2, C3 & C4" shall be substituted.

11. *Amendment of regulation 6A.3.1.*— In regulation 6A.3.1 of the principal Regulations,—

(i) in clause (a), for the expression "S1, S2, S3 & S4" the expression "SPR, S1, S2, S3 & S4" shall be substituted;

(ii) in clause (b), for the expression "S1, S2, S3, S4 & C1, C2, C3, C4" the expression "SPR, S1, S2, S3, S4 & SPC, C1 Special, C1, C2, C3, C4" shall be substituted;

(iii) in clause (c), for the expression "S1, S2, S3, S4 & C1, C2, C3, C4" the expression "SPR, S1, S2, S3, S4 & SPC, C1 Special, C1, C2, C3, C4" shall be substituted;

(iv) in clause (d), for the expression "C1, C2, C3, C4" the expression "SPR, S1, S2, S3, S4 & SPC, C1 special, C1, C2, C3, C4" shall be substituted.

12. *Amendment of regulation 6A.4.*— In regulation 6A.4 of the principal Regulations,

(i) in TABLE-VIII. (i) under item "COMMERCIAL:", the following entry shall be added at the end, namely:—



"C1 special 10.00m 40% 250 10.00m 32.00m";

(ii) after Note (25), the following note shall be inserted, namely:—

"(26) In C1 Special zone, two stilts for parking shall be allowed free of FAR and also free from calculation of building height. The provision of access of 10.00 meters right of way may be relaxed for proposal of re-development, where there is no scope of expansion of existing road, provided minimum 8.00 meters access is available. The front setback may be relaxed subject to maintaining a minimum of 7.00 mts. in C1 Special zone on special circumstances due to practical difficulties in re-

development of existing buildings in plots having a depth upto 50 mts. The front setback may, further be relaxed, subject to maintaining a minimum of 5.00 mts. in C1 Special zone on special circumstances due to practical difficulties in re-development of existing buildings in plots having a depth less than 30 mts. with the approval of the Town and Country Planning Board and the Government, provided they satisfy the requirement of fire safety for which prior clearance of Directorate of Fire and Emergency Services shall be mandatory before issuing development permission. In case of varying depths (sides perpendicular to the road), the average depth shall be taken into consideration."

13. *Amendment of regulation 14.3.*— In regulation 14.3 of the principal Regulations, after clause (b), the following clause shall be inserted; namely:—

"(c) Norms for roof top solar PV installation shall be as under:—

Sl. No.	Category of building/area	area standards	Generation requirement
(1)	Group Housing	all proposals of Group Housing having more than 40 dwelling units	Minimum 5% of connected load or 20W/sqft for available roof space, whichever is less.
(2)	Educational	Plot size of 500 sq.mt. and above	Minimum 5% of connected load or 20W/sq. ft. for available roof space, whichever is less.
(3)	Institutional		
(4)	Commercial		
(5)	Industrial		
(6)	Mercantile		
(7)	Recreational		

All other buildings defined under clause (20A) of regulation 2 (mandatory for buildings having shadow free rooftop area > 50 sq.mt.).

14. *Amendment of regulation 20.*— In regulation 20 of the principal regulations,—

(i) in the heading and in sub-regulations 20.1, 20.3 and 20.4, for the expression "Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer", wherever it occurs, the expression "Engineer/Structural Engineer/Town Planner/Landscape Architect//Urban Designer/Engineer-Diploma/Supervisor (Civil)" shall be substituted;

(ii) in sub-regulation 20.1, the following expression shall be added at the end, namely:—

"However, no registration shall be required for Structural Engineers, Engineers and other professionals employed with Government Departments and undertakings having the required qualification as per these regulations in case of land development and building construction by the Government,

Government owned corporations, autonomous bodies and local bodies.”;

(iii) in sub-regulation 20.2, the word “Architects” shall be omitted;

(iv) in sub-regulation 20.6, for the expressions “Architect/Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer” and “prescribed processing fees”, the expressions “Engineer/Structural Engineer/Town Planner/Landscape Architect/Urban Designer/Engineer - Diploma/Supervisor (Civil)” and “Specified fees” shall be respectively substituted;

(v) in sub-regulation 20.7, for the word “prescribed”, the word “specified” shall be substituted.

(vi) for sub-regulation 20.9, the following sub-regulation shall be substituted; namely:—

“20.9 Notary Architect or Engineer empanelled, shall be registered by the designated Chief Town Planner to issue third party certification towards issuance of Technical Clearance/Development Permission/Completion Order by the Town and Country Planning Department/PDA, as the case may be as per rules specified at Annexure-X, 27. X.”;

(vii) after regulation 20.9, the following note shall be added, namely:—

“Note:- Architects at the time of submission of certificate of conformity with regulations in Appendix-B2 should mention their Council of Architecture registration number. Further, they shall also give a declaration in the Certificate of conformity with Regulation Appendix-B2 that they are holding valid registration with the Council of Architecture as per the provisions of the Architects Act, 1972 (Central Act No. 20 of 1972).”.

15. *Substitution of Annexure-I.*— For Annexure-I of the principal Regulations, the following Annexure shall be substituted, namely:—

“ANNEXURE-I

27.I.

Notifications on Environment and CRZ Regulations as notified from time to time by the Ministry of Environment, Forest and Climate Change,

Government of India, shall be applicable to all permissions under these regulations.”.

16. *Substitution of Annexure-X.*— For Annexure-X of the principal Regulations, the following Annexure shall be substituted, namely:—

“ANNEXURE-X

Rules for Notary Architect and Notary Engineer for risk based classification of approvals.

(1) Notary Architect and Notary Engineer registered shall be authorized to issue third party certification for low risk buildings in plots formed by way of finally approved sub-division layout and partitioned plot forming part of finally approved sub-division layout approved by competent authorities for residential buildings in plot area upto 500 sq.mts. having maximum built up area of 500 sq. mts. and height limited to G+2 storeys including stilt floor.

(2) Procedure for empanelment and registration shall be as specified.

(3) Duties and responsibilities of Notary Architect and Notary Engineer:-

(i) To scrutinize the applications received for issue of third party certification under these rules.

(ii) Sign the formats and building plan as required under the Regulations and submit it to the Town and Country Planning Department/ /respective PDA.

(iii) Maintain register of applications received for third party certification towards issue of building approvals/completion order by the Town and Country Planning Department/respective PDAs.

(4) Power of designated Chief Town Planner to act against Notary Architect/Notary Engineer in case of default/complaint.

If any Notary Architect or Engineer, as the case may be, fails to discharge his duties and responsibilities, the Chief Town Planner, may after giving him/her a reasonable opportunity of being heard in the manner as such as may be prescribed, and by an order remove his name from the Records of NOTARY Architect or Engineer authorized to issue third party certification.

The Licencing Authority i.e. Corporation/ /Municipal Council in Municipal areas and Village Panchayat in respective panchayat areas shall take note of the discharged Notary Architect or Engineer

and shall not honour any third party certification issued by them, thereafter.”.

17. *Amendment of Annexure-XI-A.*— In Annexure-XI-A of the principal Regulations, for the existing Note (1), the following shall be substituted, namely:—

“(1) For all above activities, minimum size of land/plot has to be 4000 sq.mts. except in case of pump houses and dairy farming. In case of dairy farming the minimum plot requirement can be relaxed provided that

a minimum plot size of 1000 sq.mts. shall be maintained and the area of structure on such plot shall be restricted to 100 sq.mts., provided further that the plot is surrounded by agriculture areas and preferably away from dense human habitation.”.

By order and in the name of the Governor of Goa.

*James Mathew*, Chief Town Planner (Admn.)  
& ex officio Joint Secretary (TCP).

Panaji, 13th June, 2019.

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